

Mr. Reg Murphy, Publisher
The Baltimore Sun
Baltimore, Md.

9/24/86

Dear Mr. Murphy,

Your today's story on the disappearance of enough virus to make the entire world sick prompts this letter and prompted some thought. It is a story you could have had as an exclusive months ago and with considerable information not in what you did publish. That, apparently, is limited to the lawsuit and some of what the Army, finally, told Mac Mathias. I know that it is incomplete because I knew more months ago and tried to interest the Sun.

In my reporting youth, which began about 55 years ago, reporters were more enterprising because, I believe, the papers were.

My personal experiences with Sun reporters two decades ago and today are radically different. Twenty years ago a fair number of your reporters and a few editors were sufficiently interested in a subject on which I was expert to arrange to get together on their own time and ask me to spend that time with them. I did.

I am the only one of those known as critics of the official investigations of the political assassinations who is not a conspiracy theorist. Mine is a study, and a rather large study, of how our basic institutions worked in those times of great crisis and thereafter and, with the passing of time, as one of our basic institutions the press became of interest to me and in ~~our~~ work. (It failed, miserably, then and ever since, except for an occasional story, one of the best of which appeared in the Sun when one of your then reporters followed my leads and suggestions.)

The press likes to beat its breast in proclamation of its devotion to freedom of information but to a large degree this is phony, like Fourth of July speeches. For the most part it doesn't really give a damn. With very rare exceptions its only interest is selfish.

News standards of my youth and today are the standards of different worlds, except for the pretense of the press that standards have not changed, that we have this great tradition and live by it. While there have always been shibboleths, today there are many more and they are universal. Even when establishmentarianism called for a story, Andy Jackson's one determined man making the system work against enormous odds.

Congress amended the Freedom of Information Act over me in 1974. This opened to public inspection and knowledge the incredible evils of the CIA, FBI and other agencies. But that one determined man could make the system work, as we were taught in school representative society is supposed to work, was not news even though it could not have been more specific in the Senate debates. Years later, when it was incidental to a successful ploy in court, one paper, the one that was present, did report it in different form. I'll enclose a copy.

I then made and still have powerful enemies and to the degree I can today I still contend to prevent negation of the law that supposedly gives the people the right to know what their government does and has done. I'm less able today because I'm 73 and have serious physical limitations from several post-surgical complications but in keeping with our fine tradition I still do try.

The years-long attitude of the press has encouraged the government to use the unpopularity of this subject in efforts, too often and presently successful, to in effect amend the act. I cannot imagine that what I'm living through would not have been of great interest to the press in my reporting days but that is the situation today. I'll tell you enough so that you can make your own evaluation. Your reporters have made theirs.

In their efforts to frustrate the disclosure of nonexempt information that has been and would be embarrassing to them and to ~~get~~ the act the FBI, represented by Department of Justice counsel, cooked up a new dodge, as often they do with those judges whose sympathy (and not infrequently more) they believe they have. While the Act is quite specific in stating that the burden of proof is on the government, they demanded and got "discovery" from me from that fink of a district court judge, John Lewis Smith. I did not comply with his order for a number of recognized and legitimate reasons, all of which he and the government ignored. One of these reasons is that I had already provided that information - two file drawers of it. Can you imagine the amount of work for a private individual this represents, and the cost? An old man whose only regular income is modest Social Security - I look back and wonder about the cost of all that xeroxing and the time of all those factual, detailed and documented memos. So, after threatening to seek a contempt citation, to which I responded with a dare, because that would have meant a public proceeding that might have been covered, they shifted to demanding their alleged counsel fees. I haven't paid them and do not intend to, in the hope, perhaps futile, that collection will require a public proceeding here in Maryland. *(There has been no trial.)*

When this case was up on appeal the FBI's affiant in my lawsuit, the special agent who supervised disclosures in its FOIPA branch, disclosed to a friend of mine records which make it clear beyond reasonable question that he and the others are guilty of perjury, fraud and misrepresentation.

In seeking the judgement, when I refused to pay, they sought and got a duplicating judgement from my then lawyer. This created a conflict of interest and I thus am pro se now. We did get that horrendous precedent rejected and now a lawyer is not responsible for the acts of a client who refuses to take his advice. This, too, was never reported, when they got that additional judgement or when it was revoked.

Armed with this documentation, in the form not only of FBI records but those disclosed by the man who swore to the opposite, including that they did not exist, in my case - and since has not withdrawn his undeniably perjurious attestations - I filed for reconsideration. The government denied nothing. They do not bother to make even pro forma denial of allegations of felonious misconduct and they don't deny their intent to defraud an old man out of a third of a year's Social Security.

Some of this documentation is a bit raunchy and at least in my youth would have been newsworthy. It is attached to what I filed and I sent copies, again at what to us is considerable cost, to perhaps three dozen in the media, including the Sun. None was interested, nobody called me to ask for more or any explanation of any kind. These copies included the government's papers.

So when the government, including FBI SAs and their counsel, are charged with these serious felonies in federal court and do not deny any of it, that is not news today. When this is done to gut freedom of information as a matter of right, for others as well as for reporters, that also is not news today. Nobody questions the facts, which can't be questioned. Nobody has to because the press has its shibboleths, substituted for great principles.

Separately, although I've never seen this expressed in print, is the subject matter. The assassination of a President is the most subversive of crimes. It nullifies our system entirely and it makes a joke of voting. What this new evidence will mean to historians I don't know because I don't know if they'll ever see it, thanks to the press. I know I'm leaving it in a public archive in a distant state because there was no interest in Maryland, and I'm talking about perhaps a third of a million pages of once-secret records that I got by FOIA. This and my work take up about 60 file cabinets. I think we'd have a better world if this information could mean something today.

Sincerely,

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